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**SEP 26 2005**

**To:** Examiner Jingge Wu**From:** Steven L. Nichols**Fax:** (571) 273-8300**Pages:** 22 pages including coversheet**Phone:****Date:** September 26, 2005**Re:** AF Amendment - 10/769,393

☒ Urgent ☒ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

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5. After-Final Response Under 37 CFR 1.116 (18 pages)

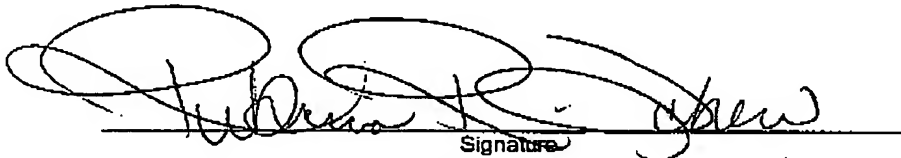
Application No.: 10/769,393

Attorney Docket No.: 40169-0059

## Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to Examiner Jingge Wu via the USPTO central facsimile number, (571) 273-8300.

on September 26, 2005  
Date

A handwritten signature in black ink, appearing to read 'Rebecca R. Schow', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

Signature

Rebecca R. Schow

Typed or printed name of person signing Certificate

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40169-0059

Serial No.: 10/769,393

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application: Z. Jason Geng

Examiner: WU, Jingge

Application No.: 10/769,393

Group Art Unit: 2623

Filed: January 30, 2004

Title: "Three-Dimensional Ear Biometrics System and Method"

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment ( ) Petition to extend time to respond  
( ) New fee as calculated below ( ) Supplemental Declaration  
(X) No additional fee ( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

| CLAIMS AS AMENDED SMALL ENTITY                       |                                     |                           |                                       |                           |            |                    |
|--|-------------------------------------|---------------------------|---------------------------------------|---------------------------|------------|--------------------|
| FOR  | CLAIMS REMAINING<br>AFTER AMENDMENT | NUMBER<br>EXTRA           | HIGHEST NUMBER<br>PREVIOUSLY PAID FOR | PRESENT<br>EXTRA          | RATE       | ADDITIONAL<br>FEES |
| TOTAL<br>CLAIMS                                      | 44                                  | MINUS                     | 47                                    | = 0                       | X \$25.00  | \$0.00             |
| INDEP.<br>CLAIMS                                     | 8                                   | MINUS                     | 8                                     | = 0                       | X \$100.00 | \$0.00             |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM |                                     |                           |                                       |                           | + \$180.00 | \$.                |
| EXTENSION<br>FEE                                     | [ ] 1ST MONTH<br>\$60.00            | [ ] 2ND MONTH<br>\$225.00 | [ ] 3RD MONTH<br>\$510.00             | [ ] 4TH MONTH<br>\$795.00 |            | \$0.00             |
| OTHER FEES   |                                     |                           |                                       |                           |            | \$                 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |                                     |                           |                                       |                           |            | 0.00               |

Please charge \$0.00 to Deposit Account 18-0013/40169-0059. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 18-0013/40169-0059 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 18-0013/40169-0059 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is being transmitted to the US Patent and Trademark Office via facsimile number (571) 273-8300 on September 26, 2005

Number of pages transmitted: 22

  
Rebecca R. Schow

Respectfully submitted,

By: 

Steven L. Nichols (Reg. No.: 40,326)  
Attorney/Agent for Applicant(s)  
Telephone No.: (801) 572-8066

Date: September 26, 2005

40169-0059

**DUPLICATE**

Serial No.: 10/769,393

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****In re Patent Application: Z. Jason Geng****Examiner: WU, Jingge****Application No.: 10/769,393****Group Art Unit: 2623****Filed: January 30, 2004****Title: "Three-Dimensional Ear Biometrics System and Method"**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

Sir:

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 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee ( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

| CLAIMS AS AMENDED SMALL ENTITY                       |                                  |                        |                                    |                        |            |                 |
|--|----------------------------------|------------------------|------------------------------------|------------------------|------------|-----------------|
| FOR  | CLAIMS REMAINING AFTER AMENDMENT | NUMBER EXTRA           | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA          | RATE       | ADDITIONAL FEES |
| TOTAL CLAIMS   | 44                               | MINUS                  | 47                                 | = 0                    | X \$25.00  | \$0.00          |
| INDEP. CLAIMS  | 8                                | MINUS                  | 8                                  | = 0                    | X \$100.00 | \$0.00          |
| [ ] FIRST PRESENTATION OF A MULTIPLE DEPENDANT CLAIM |                                  |                        |                                    |                        | + \$180.00 | \$              |
| EXTENSION FEE  | [ ] 1ST MONTH \$60.00            | [ ] 2ND MONTH \$225.00 | [ ] 3RD MONTH \$510.00             | [ ] 4TH MONTH \$795.00 |            | \$0.00          |
| OTHER FEES   |                                  |                        |                                    |                        |            | \$              |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT              |                                  |                        |                                    |                        |            | 0.00            |

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Steven L. Nichols (Reg. No.: 40,326)  
 Attorney/Agent for Applicant(s)  
 Telephone No.: (801) 572-8068

Date: September 26, 2005

40169-0059

10/769,393

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Patent Application of

Z. Jason Geng

Application No. 10/769,393

Filed: January 30, 2004

For: Three-Dimensional Ear Biometrics  
System and Method

Group Art Unit: 2623

Examiner: WU, Jingge

AFTER-FINAL RESPONSE  
UNDER 37 C.F.R. § 1.116Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final Official Action mailed on July 26, 2005, please consider the following.